

Appl. No. : **09/685,272**
Filed : **October 9, 2000**

REMARKS

Claims 24-29, 33-74, and 77-79 were pending in the application. By this paper, Claims 33-41 are cancelled without prejudice. Therefore, Claims 24-29, 42-74, and 77-79 are presented for examination herein.

Allowed Subject Matter

Per the Office Action, Claim 79 stands allowed.

Double-Patenting Rejections

Per Par. 4 of the Office Action, Claims 24-29, 42-74, and 77-78 were rejected based on obviousness-type double patenting with respect to U.S. 6,136,836 to Dowling. Applicant submits herewith a terminal disclaimer in compliance with 37 C.F.R. §1.321. Applicant respectfully submits that this disclaimer overcomes the Examiner's rejections of Claims 24-29, 42-74, and 77-78.

Based on the foregoing, Applicant submits that all pending Claims are now in condition for allowance.

Other Remarks

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein in a continuation or divisional application.

Applicant notes that any amendments made by this paper which are not specifically discussed herein are made solely for the purpose of more clearly and particularly pointing out and claiming Applicant's invention.

Lastly, any claim cancellations or additions made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention and responding to the aforementioned Office Action, and not for purposes of overcoming art or for patentability. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicants' position with respect to any claim or subject matter of the invention, or (iii)

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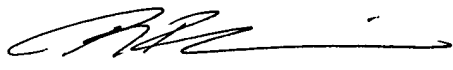
acquiescence in any way to any position taken by the Examiner, based on such cancellations or additions.

If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

Respectfully submitted,

GAZDZINSKI & ASSOCIATES

Dated: 4/20/04

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